

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

MY GOALS SOLUTIONS, INC. and NYC
MEDICAL PRACTICE IP HOLDING
CORP.,

Plaintiffs,

v.

CHRISTIAN BANKS and BUSINESS
ENTITIES A-J,

Defendants.

Civil Case No. 1:22-cv-02493-ER

DEFAULT JUDGMENT ORDER

THIS MATTER, having been opened to the Court upon application of Joshua M. Lurie, Esq., counsel for Plaintiffs, seeking judgment by default pursuant to Federal Rule of Civil Procedure 55, the Court having reviewed the submissions in support of the application, finding that there is factual and legal basis for both judgment on liability and for the amount sought, and for good cause shown;

IT IS ON THIS 15 DAY OF February, 2023:

ORDERED, that judgment is hereby entered in favor of Plaintiffs, My Goals Solutions, Inc. and NYC Medical Practice IP Holding Corp., and against Defendants Christian Banks and Business Entities A-J, jointly and severally, as follows:

1. ORDERED, that Instagram, Inc. (owned by Meta Platforms, Inc.) is to return ownership of the Profile to Plaintiffs;
2. ORDERED, that Defendant is permanently enjoined from: using any reproduction, counterfeit, copy or colorable imitation of the Trademarks for and in connection with any not authorized by Plaintiffs;

3. ORDERED, that Defendant is permanently enjoined from: engaging in any course of conduct likely to cause confusion, deception, or mistake, or to injure Plaintiffs business reputation or dilute the distinctive quality of the Trademarks;
4. ORDERED, that Defendant is permanently enjoined from: Using any false description or representation, including words or other symbols tending falsely to describe or represent Defendants' unauthorized service as being those of Plaintiffs, or sponsored by or associated with Plaintiffs, and from offering such goods into commerce;
5. ORDERED, that Defendant is permanently enjoined from: further infringing the Trademarks by manufacturing, producing, distributing, circulating, selling, marketing, offering for sale, advertising, promotion, renting, displaying or otherwise disposing of any services not authorized by Plaintiffs that bear any simulation, reproduction, counterfeit, copy or colorable imitation of the Trademarks;
6. ORDERED, that Defendant is permanently enjoined from: Using any simulation reproduction, counterfeit, copy or colorable imitation of the Trademarks in connection with the promotion, advertisement, display, sale, offering for sale, manufacture production, circulation or distribution of any unauthorized services in such fashion as to relate or connect, or tend to relate or connect, such services in any way to Plaintiffs, or to any services sold, manufactured, sponsored or approved by, or connected with Plaintiffs;
7. ORDERED, that Defendant is permanently enjoined from: Making any statement or representation whatsoever, or using any false designation of origin or false description, or performing any act, which may or is likely to lead the trade or public, or individual members thereof, to believe that any services provided, distributed, or sold by the

Defendants are in any manner associated or connected with Plaintiffs, or are sold, manufactured, licensed, sponsored, approved or authorized by Plaintiffs;

8. ORDERED, that Defendant is permanently enjoined from: Infringing the Trademark, or Plaintiffs' rights therein, or using or exploiting the Trademarks, or diluting the Trademarks;
9. ORDERED, that Defendant is permanently enjoined from: Effecting assignments or transfers, forming new entities or associations or utilizing any other device for the purpose of circumventing or otherwise avoiding the prohibitions set forth in any Final Judgment or Order in this action;
10. ORDERED, that Defendants transfer the Instagram profiles, including "goalsplasticsurgery_newyork" profile to Plaintiffs' control so that they may no longer be used for illegal purpose and enjoin the Defendant from initiating or creating any other domain which infringes upon Plaintiffs' trademarks;
11. ORDERED, that Plaintiffs are awarded statutory damages, pursuant to 15 U.S.C. §1117 (c)(1) in the amount of Four Hundred Thousand Dollars (\$400,000.00).
12. TOTAL JUDGMENT: \$400,000.00;

and it is further;

ORDERED, that a copy of this Order shall be served upon the Defendants by way of email and regular or certified mail within 7 days of receipt of the within Order by counsel for Plaintiff.



Edgardo Ramos, U.S.D.J.
February 15, 2023